

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, Development Services Director/ (954) 797-1101

PREPARED BY: David M. Abramson, Planner III

SUBJECT: Resolution: Flexibility Application, FX 5-1-06/06-19/Griffin Landmark Building /Generally located on the north side of Griffin Road between the Florida Turnpike and State Road 7-US 441

AFFECTED DISTRICT: District 1

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE ALLOCATION OF RESIDENTIAL FLEXIBILITY UNITS TO THE "GRIFFIN LANDMARK" PLAT; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

The petitioner is proposing a new mixed-use development (Griffin Landmark Building) on the subject site within two designated redevelopment corridors (Griffin Corridor and Transit Oriented Corridor). This mixed-use development (building) consists of a seven-story building with vehicular parking on the 1st and 2nd floors, commercial (retail) use on the 2nd floor, office uses from the 3rd to 5th floors, and twenty-four (24) condominium units on the 6th and 7th floors. The underlying land use of the subject site is "Commercial," while the zoning "Griffin Road Corridor" that allows mixed-use developments. To allow the allocation of residential uses within a "Commercial" land use designation, the petitioner is required to utilize the Flexibility Rule in accordance with Broward County Planning Council's Administrative Rules Document.

Flexibility units (Residential Uses) of the Broward County Land Use Plan means the difference between the number of dwelling units permitted within a flexibility zone by Broward County Land Use Plan and the number of dwelling units permitted within the flexibility zone by a local government's certified future land use plan map. The Town of Davie annually recertifies the pooled number of flexibility units in each Flexibility Zone with Broward County. The subject site is situated in Flexibility Zone 81. As of October 2006, there are 89 flexibility units left in Flexibility Zone 81. The petitioner is requesting to utilize twenty-four (24) of these flexibility units. Assignment of flexibility units are subject to further rules and regulations in the Administrative Rules Document.

The petitioner's request for the utilization of the Flexibility Rule for flexibility units is consistent with the Griffin Landmark Building - Site Plan Application (SP 12-5-05), Plat Application (P 12-2-05), and Text Amendment Application (ZB(TXT) 12-1-05). The petitioner's request for twenty-four (24) flexibility units can be considered meeting the intent of both Town of Davie "Griffin Corridor District," "Comprehensive Plan" and the future "Transit Oriented Corridor."

The Town's Planning and Zoning Division is presently creating the land development regulations to aid the implementation of the "Transit Oriented Corridor." This corridor was created, in part, to encourage pedestrian and transit-supportive development along the SR-7/441 Corridor and to capture economic development potential of the perpendicular corridors. This corridor's future land use category provides the Town with necessary mix of uses, density, and design that will encourage the creation of an environment that will promote transit usage and a sense of place currently lacking in the defined area.

The petitioner's propose mixed-use development (building) should be considered compatible with the "Transit Oriented Corridor" policies that were based on URS's "State Road 7 Charrette Master Plan" approved by the Town Council through Resolution #05-236 on September 7, 2005.

PREVIOUS ACTIONS: None

CONCURRENCES:

At the November 8, 2006 Planning and Zoning Board Meeting, Mr. Stevens made a motion, seconded by Mr. Busey, to approve. **(Motion carried 4-0, Mr. Bender was absent)**

FISCAL IMPACT: N/A

RECOMMENDATION:

Staff finds the subject application complete and suitable for transmittal to Town Council for further consideration.

Attachments: Planning Report, Resolution

RESOLUTION _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE ALLOCATION OF RESIDENTIAL FLEXIBILITY UNITS TO THE "GRIFFIN LANDMARK" PLAT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the petitioner (The Spear Group) has applied to the Town of Davie to authorize the allocation of residential density onto the "Griffin Landmark" Plat; and

WHEREAS, the Broward County Land Use Plan grants residential flexibility units to all the municipalities located within Broward County; and

WHEREAS, the Town of Davie desires to allocate twenty-four (24) of its residential reserve units from Flex Zone 81 to the "Griffin Landmark" Plat; and

WHEREAS, the proposed allocation is in conformance with the Town of Davie Comprehensive Plan and the Broward County Land Use Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. That the Town Council of the Town of Davie does hereby approve the allocation of twenty-four (24) of the Town of Davie's residential flexibility units, subject to the conditions stated on the planning report which is attached hereto as Exhibit "A," and as granted by the Broward County Land Use Plan, to the "Griffin Landmark" Plat.

SECTION 2. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this resolution.

SECTION 3. This resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2006.

ATTEST:

MAYOR/COUNCILMEMBER

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2006.

Exhibit “A”

Application: FX 5-1-06/06-19/Griffin Landmark Building

Original Report Date: 10/23/06

Revision(s): 11/17/06

TOWN OF DAVIE

Development Services Department

Planning & Zoning Division

Staff Report and Recommendation

Applicant Information

Owner/Petitioner:

Name: The Spear Group – Jeff Spear
Griffin Landmark, L.C.C.
Address: 3721 Southwest 47th Avenue – Suite 307
City: Ft. Lauderdale, Florida 33314
Phone: (954) 581-9000

Background Information

Petitioner’s Request: The petitioner requests the assignment of 24 flexibility units permitted within Flexibility Zone 81 in order for the subject site to be developed with residential use under the current commercial land use category of the Future Land Use Plan Map.

Location: Generally located on the north side of Griffin Road between the Florida Turnpike and State Road 7-US 441

Future Land Use Plan Map: Commercial

Zoning: Griffin Road Corridor, Commerce Zone (Use Zone 4)

Existing Use(s): Vacant Parcel of Land

Parcel Size: 3.08 Acres (134,298 square feet)

Proposed Density: 7.79 Dwelling Units/1 Acre (Total of 24 Dwelling Units)

Proposed Use(s): Mixed-use development (building) consisting of:
1. Approximately 36,411 sq. ft. of office use(s)
2. Approximately 1,084 sq. ft. of commercial use(s)
3. 24 high-rise unit(s)

Surrounding Use(s):

North: C-II Canal (S.F.W.M.D.)
South: Griffin Road / Vacant Parcels
East: Adult Living Facility
West: Griffin Road / Vacant Parcels

Surrounding Land

Use Plan Map Designation(s):

Recreation / Open Space
Commercial
Residential (10 DU/AC)
Commercial

Surrounding Zoning(s):

North: N/A
South: Griffin Road Corridor, Commerce Zone (Use Zone 4)
East: Griffin Road Corridor, Commerce Zone (Use Zone 4)
West: Griffin Road Corridor, Commerce Zone (Use Zone 4)

Zoning History**Related Zoning History:**

Ordinance No. 2000-007, approved by the Town of Davie Council, rezoned the subject site to the Griffin Road Corridor, Intersection Commercial Nodes (“University Drive Node”) on February 2, 2000.

Concurrent Request on same property:

Text Amendment (ZB(TXT) 12-1-05), the petitioner requests to amend the Land Development Code pertaining to Section 12-32.304 Permitted, Restricted, and Prohibited Uses – Use Group/Use relating to residential uses in the Commerce Zone (Use Zone 4).

Site Plan (SP 12-5-05), the petitioner requests site plan approval to construct a mixed-use building that consists of approximately 36,411 sq. ft. of commercial and 24 residential units on the subject site.

Plat Application (P 12-2-05), the petitioner requests plat approval to allow 36,411 sq. ft. of commercial and 24 residential units on the subject site.

Comprehensive Plan Considerations**Planning Area:**

The subject property falls within Planning Area 6. This Planning Area includes lands located south of State Road 84, east of University Drive and north of Nova Drive, together with lands located east of the Florida Turnpike and west of State Road 7, south of State Road 84 and north of the south Town limits. The majority of this planning area is industrially zoned and land used plan designated. There are small commercial parcels along the State Road 7 corridor with one large retail center being located on the southeast corner of University Drive and State Road 84. Commercial flexibility has been applied to parcels on Nova Drive.

Broward County Land Use Plan:

The subject site falls within Flexibility Zone 81.

Applicable Goals, Objectives & Policies:

Future Land Use Element, Policy 17-1: Lands designated for non-residential use shall be located in a manner, which facilitates development, but does not adversely impact existing and designated residential areas.

Future Land Use Plan, Policy 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Future Land Use Plan, Objective 18: Mixed Use Development: The Town shall continue to maintain land development regulations that accommodate mixed-use projects, planned developments and other types of non-traditional developments to promote a diverse, imaginative and innovative living and working environment.

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Land Development Code (Section 12-32.303 (D)), Griffin Commerce (Use Zone 4). This zone extends eastward from the Florida Turnpike to State Road 7. Medium-density residential uses are predominant within this use zone. Should redevelopment occur, Commerce Park type uses, developed in a campus setting with significant open space, are encouraged here. Such uses require a Commerce/Office or Industrial land use plan designation. Development within this area is not subject to the architectural requirements of the Griffin Corridor District.

Land Development Code (Section 12-305), Rezoning, Special Permits, Variances, and Vacations or Abandonments of Rights-of-Way, the purpose of this division is to guide the processing and granting of rezonings, special permits, variances and vacations or abandonments of rights-of-way in a manner consistent with the Town of Davie Comprehensive Plan, existing development and in a manner which protects the public health, safety and welfare.

Land Development Code (Section 12-32.304), Use Group/Use: Residential, Multi-Family 5 to 10 du/ac - R(12): Permitted only as part of a mixed-use development wherein residential uses are located within the same structure as nonresidential uses, or within separate structures which are integrated into the planned mixed-use development.

The Broward County Land Planning Council, Administrative Rules Document: Broward County Land Use Plan.

Public Participation

The public participation process provides the ability for citizens of the Town of Davie to actively participate in the Town's development procedures. The petitioner conducted meetings with the public on January 16, 2006 at the Eastside Community Hall and January 18, 2006 at the Town of Davie Community Room. Attached is the petitioner's Citizen Participation Report.

Application Details

The petitioner is proposing a new mixed-use development (Griffin Landmark Building) on the subject site within two designated redevelopment corridors (Griffin Corridor and Transit Oriented Corridor). This mixed-use development (building) consists of a seven-story building with vehicular parking on the 1st and 2nd floors, commercial (retail) use on the 2nd floor, office uses from the 3rd to 5th floors, and twenty-four (24) condominium units on the 6th and 7th floors. The underline land use of the subject site is "Commercial," while the zoning "Griffin Road Corridor" that allows mixed-use developments. To allow the allocation of residential uses within a "Commercial" land use designation, the petitioner is required to utilize the Flexibility Rule in accordance with Broward County Planning Council's Administrative Rules Document.

Flexibility units (Residential Uses) of the Broward County Land Use Plan means the difference between the number of dwelling units permitted within a flexibility zone by Broward County Land Use Plan and the number of dwelling units permitted within the flexibility zone by a local government's certified future land use plan map. The Town of Davie annually recertifies the pooled number of flexibility units in each Flexibility Zone with Broward County. The subject site is situated in Flexibility Zone 81. As of October 2006, there are 89 flexibility units left in Flexibility Zone 81. The petitioner is requesting to utilize twenty-four (24) of these flexibility units. Assignment of flexibility units are subject to further rules and regulations in the Administrative Rules Document.

Staff Analysis

The petitioner's request for the utilization of the Flexibility Rule for flexibility units is consistent with the Griffin Landmark Building - Site Plan Application (SP 12-5-05), Plat Application (P 12-2-05), and Text Amendment Application (ZB(TXT) 12-1-05). The petitioner's request for twenty-four (24) flexibility units can be considered meeting the intent of both Town of Davie "Griffin Corridor District," "Comprehensive Plan" and the future "Transit Oriented Corridor."

The Town's Planning and Zoning Division is presently creating the land development regulations to aid the implementation of the "Transit Oriented Corridor." This corridor was created, in part, to encourage pedestrian and transit-supportive development along the SR-7/441 Corridor and to capture economic development potential of the perpendicular corridors. This corridor's future land use category provides the Town with necessary mix of uses, density, and design that will encourage the creation of an environment that will promote transit usage and a sense of place currently lacking in the defined area.

The petitioner's propose mixed-use development (building) should be considered compatible with the "Transit Oriented Corridor" policies that were based on URS's "State Road 7 Charrette Master Plan" approved by the Town Council through Resolution #05-236 on September 7, 2005.

Findings of Fact

Flex:

Section 12-307(A) (1):

The following findings of facts apply to the flex application:

- (a) The proposed change is not contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;

The Town of Davie adopted Comprehensive Plan encourages mixed-use developments including residential/commercial. Additionally, the Comprehensive Plan states the Town of Davie should utilize the Flexibility Rule of the Broward County Land Use Plan.

- (b) The proposed change will not create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;

The existing zoning districts to the south, east, and west are "Griffin Road Corridor, Commerce Zone (Use Zone 4)" and shall remain.

- (c) Existing zoning district boundaries are logically drawn in relation to existing conditions on the property proposed for change;

The existing zoning district boundaries of the "Griffin Road Corridor, Commerce Zone (Use Zone 4)" are logically drawn. However, the underline Land Use Plan is

Flex Application

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“Commercial,” to allow residential uses the Flexibility Rule must be applied and the Land Development Code must be amended pertaining to Section 12-32.304 Permitted, Restricted, and Prohibited Uses.

(d) The proposed change is not expected to adversely affect living conditions in the neighborhood;

Utilization of the Flexibility Rule with the allocation of flexibility units on the subject site should not have a negative impact on the neighborhoods being that there are presently also have the ability to proposed a mixed-use development.

(e) The proposed change should not create or excessively increase automobile and vehicular traffic congestion above that which would be anticipated with permitted intensities or densities of the underlying land use plan designation, or otherwise affect public safety;

The traffic generated by a mixed-use (retail/office) development is what the zoning district anticipated. When compared to the intensity of a typical commercial development, the residential use and the associated traffic impacts would be further reduced. Prior to final approval of plats by Broward County, traffic impacts are assessed and concurrency must be met.

(f) The proposed change is not expected to adversely affect other property values;

Surrounding property values may not be adversely impacted by the proposed mixed-use development on the subject site for this use is anticipated in the “Transit Oriented Corridor” (TOC).

(g) The proposed change will not be a deterrent to the improvement or development of other property in accord with existing regulations;

Utilization of the Flexibility Rule with the allocation of flexibility units may not cause the adjoining property owners from continuing to utilize their property(s).

(h) The proposed change does not constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public;

Utilization of the Flexibility Rule with the allocation of flexibility units will not give the owner a unique benefit that harms the welfare of the general public. The request is consistent with the future Town of Davie “Transit Oriented Corridor” (TOC).

(i) There are substantial reasons why the property cannot be used without the utilization of Flexibility Rule.

The Future Land Use Plan designates the subject site as “Commercial.” In order for the petitioner to proposed a mixed-use development consisting of commercial and residential uses on the subject site, Broward County Planning Council requires the Town of Davie use the Flexibility Rule to allocate flexibility units consistent with the Administrative Rules Document: Broward County Land Use Plan.

(j) The proposed utilization of Flexibility Rule may not be the most appropriate designation to enhance the Town's tax base given the site's location relative to the pattern of land use designations established on the future land use plan map, appropriate land use planning practice, and comprehensive plan policies directing land use location.

The subject site's Future Land Use Map designation is Commercial. Commercial uses are at a higher tax return with less service needs. However, residential uses mixed with commercial uses may result in economically successful development project.

Staff Recommendation

Staff finds the application complete and suitable for transmittal to the Planning and Zoning Board and Town Council for further consideration subject to the following condition:

1. Contingent upon approval of the following development applications:
 - a. *Site Plan Application (SP 12-5-05), Griffin Landmark Building*
 - b. *Plat Application (P 12-2-05), Griffin Landmark Building*
 - c. *Text Amendment (ZB(TXT) 12-1-05), Griffin Landmark Building*

Planning and Zoning Board Recommendation

At the November 8, 2006 Planning and Zoning Board Meeting, Mr. Stevens made a motion, seconded by Mr. Busey, to approve. **(Motion carried 4-0, Mr. Bender was absent)**

Town Council Action

Exhibits

1. Justification Letter
2. 1,000' Mail out Radius Map
3. Property Owners within 1,000' of the Subject Site
4. Public Participation Notice
5. Public Participation Sign-In Sheets
6. Public Participation Summaries
7. Public Participation Report
8. Conceptual Site Plan
9. Future Land Use Plan Map
10. Aerial, Zoning, and Subject Site Map

Prepared by: _____

Reviewed by: _____

File Location:

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GRIFFIN ROAD CORRIDOR MIXED-USE DEVELOPMENT

REZONING APPLICATION

JUSTIFICATION STATEMENT

I. REASON FOR REQUEST.

1. Land use and zoning. The property is located on a 3-acre parcel along Griffin Road, east of the Florida Turnpike and west of SW 48th Avenue (the "Property"), in the Town of Davie (the "Town"). The Property is designated as Commercial on the Town's Future Land Use Plan Map. The Property's existing zoning designation is Griffin Corridor District-Commerce Zone (the "Commerce District"), which does not permit multi-family residential uses. However, Spear Bros. Consulting, LLC (the "Petitioner"), is proposing to amend the Town's Code of Ordinances (the "Code") to allow multi-family residential uses in the Commerce District. This proposed amendment will integrate residential uses with the commercial uses presently permitted in the Commerce District.

2. Request. The Petitioner is requesting the allocation of twenty-four (24) flexibility units which will allow residential uses on the Property. Approval of the Petitioner's request to allocate flexibility units will allow for residential uses on the Property as part of the Petitioner's proposed Griffin Road Corridor mixed-use development, which includes office uses, retail uses, and multi-family residential uses (the "Development").

II. CRITERIA FOR REVIEW OF REZONING APPLICATIONS.

In reviewing an application for rezoning, §12-307 of the Town's Code, the reviewing board shall consider the following factors, where applicable:

1. Whether the proposed change is contrary to the adopted comprehensive plan, as amended, or any element or portion thereof.

The Town's comprehensive plan and Code permit residential uses through the allocation of flexibility units. Therefore, the proposed change is not inconsistent with or contrary to the adopted comprehensive plan.

2. Whether the proposed change would create an isolated zoning district unrelated and incompatible with adjacent and nearby districts.

As discussed above, the Petitioner is not requesting to change the zoning of the Property, the Petitioner is merely requesting allocation of flexibility units which will allow residential uses on the Property. The Property is currently bordered on the east, west, and south by the Commerce District and the Property will remain as such if the Petitioner's request is granted. Therefore, the proposed change would not create an

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isolated zoning district unrelated and incompatible with adjacent and nearby districts. The zoning district will remain the same.

3. Whether the existing zoning district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

The Property is currently undeveloped. The proposed request for allocation of flexibility units is necessary to permit residential use on the Property, a use that is desirable and logical in light of the surrounding uses. For example, the future land use for the area directly east and southeast of the Development is Residential 16 DU/AC. More particularly, the properties directly east and southeast of the Property house a mobile home park and an assisted living facility respectively. Pursuant to the Town's Future Land Use Plan Map, both of the aforementioned properties are zoned Commerce District. Hence, the Development's residential uses will be compatible with the surrounding residential uses already present in the Commerce District.

4. Whether the proposed change will adversely affect living conditions in the neighborhood.

As discussed above, the proposed change to allocate flexibility units is compatible with the existing residential and commercial uses in the surrounding Commerce District. Additionally, the mixed-use nature of the Development will likely have a positive impact on the nearby neighborhood by offering retail shops and office space to the neighboring communities. Moreover, the mixed-use development promotes a pedestrian convenient environment by providing the necessary amenities in one unified development. As a result, those customers frequenting the retail and office portions of the Property who are also residents in the same mixed-use Development (or neighbors in the surrounding communities) will not need to drive to the retail or office uses. Further, the Development will provide much needed employment opportunities and high-quality housing for the residents of Davie. Moreover, the Development's mixed-use nature provides the benefit of a beautiful Development while maintaining the most efficient use of space possible.

5. Whether the proposed change will create or excessively increase automobile and vehicular traffic congestion, above that which would be anticipated with permitted intensities or densities of the underlying land use plan designation, or otherwise affect public safety.

The existing land use designation of Commercial already contemplates more traffic congestion than office uses and residential uses. More particularly, the proposed residential component of the Development will likely create less traffic than if the Property was developed as allowed by the existing zoning and land use designation. The proposed amendment to the Commerce District is consistent with the surrounding land uses and the zoning category will remain the same. Hence, this proposal will not increase traffic congestion above that which is already contemplated by the existing land use designation. Public safety will not otherwise be affected by the proposed multi-family residential use of the Property. Further, as discussed above, customers frequenting the

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retail and office portions of the Property who are also residents in the same mixed-use Development (or neighbors in the surrounding communities) will not need to drive to the retail or office uses. Hence, the proposed Development will not create or excessively increase automobile and vehicular traffic congestion.

6. Whether the proposed change will adversely affect other property values.

The allocation of flexibility units to allow for multi-family residential uses is compatible with the surrounding residential and commercial uses. The proposed amendment to allow multi-family residential uses, and the Development which will follow, will likely enhance neighboring property values by taking an otherwise vacant, unappealing and underutilized property and converting it into an attractive mixed-use Development. The new Development will have a positive impact on the value of surrounding properties; and is likely to spur investment in adjacent properties which will further increase their values. Further, this new high-quality Development will provide much needed housing to the community, support businesses located in the nearby commercial zoning districts, and offer convenient shopping and office space to neighboring communities.

7. Whether the proposed change will be a deterrent to the improvement or development of other property in accord with existing regulations.

Because the proposed zoning classification is the same as surrounding zoning districts, this request should not deter future development of surrounding properties under the existing regulations. In fact, this proposed allocation of flexibility units is a logical and desirable change which is consistent with the aforementioned mobile home park and assisted living facility. By amending the zoning designation to allow for multi-family residential uses, future development of other properties in the neighborhood will be expected to be consistent and harmonious with the character of this Property. Further, the mixed-use nature of the Development will give the surrounding neighborhood depth and diversity which will enhance innovative possibilities of future development. The Development will also be a great example of how to efficiently use land in the Town.

8. Whether the proposed change will constitute a grant of a special privilege to an individual owner as contrasted with the welfare of the general public.

The proposed allocation of flexibility units will benefit not only the Property but will also benefit the general public by satisfying a rapidly growing need for residential housing. Additionally, the proposed Development is consistent with the existing neighboring residential uses currently located in the Commerce District. As such, a vast majority of the property owners in the Commerce District enjoy the privilege of housing residential uses on their property. Therefore, approving the Petitioner's request to allocate flexibility units to the Property would not constitute a grant of a special privilege to an individual owner as contrasted with the welfare of the general public. If anything, it would grant the Petitioner the same privilege that a vast majority of other property owners in the Commerce District already enjoy.

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9. Whether there are substantial reasons why the property cannot be used in accord with existing zoning.

The fact that the Commerce District does not allow multi-family residential uses is inconsistent with the fact that a majority of the underlying land use designation in the Commerce District is residential. Further, the Property will be used in accord with the existing zoning. The Petitioner is not requesting to change the zoning of the Property, the Petitioner is merely requesting allocation of flexibility units to allow for multi-family residential uses on the Property.

10. Whether the proposed zoning designation is the most appropriate designation to enhance the Town's tax base given the site location relative to the pattern of land use designations established on the future land use plan map, appropriate land use planning practice, and comprehensive plan policies directing land use location.

The Property's undeveloped condition contributes little, if anything, to the Town's tax base. If approved, this request to allocate flexibility units will enhance the Town's tax base by providing a mixed-use Development in which each homeowner and business owner will pay taxes. Additionally, the location of the Property along Griffin Road and nearby major thoroughfares will provide appropriate and adequate access to and from the Development which is consistent with proper planning practices. Moreover, the new Development will create much needed housing and employment opportunities and bring new residents and consumers to the Town, increasing the tax base and providing much needed jobs to help satisfy the workforce demands in the area. Also, the pattern of land use designations established by the Town's Future Land Use Plan Map illustrates a pattern of existing residential uses in the Commerce District.

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Exhibit 2 (1,000' Mail out Radius Map)

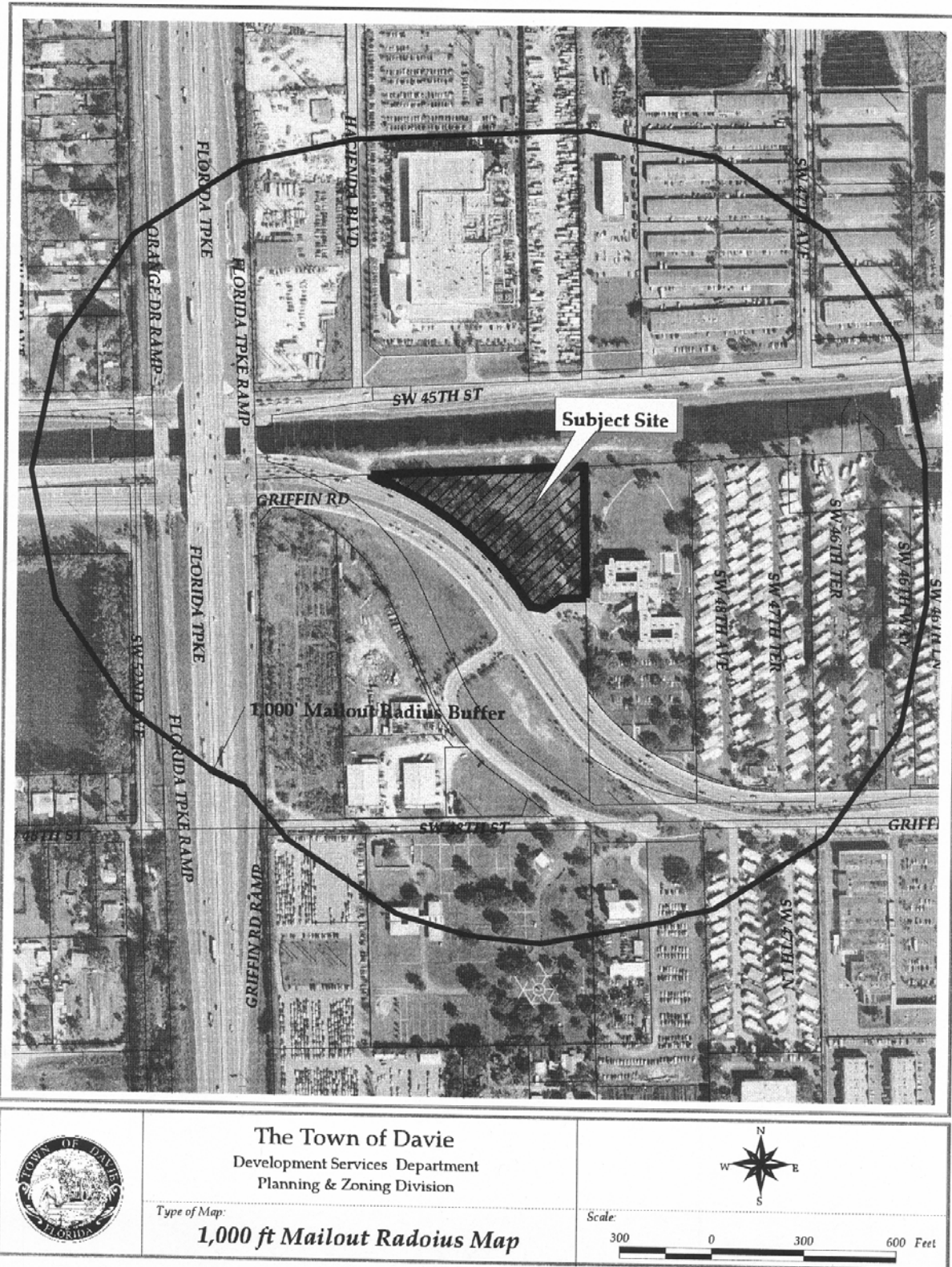


Exhibit 3 (Property Owners within 1,000' of Subject Site)

SP 12-5-05, ZB(TXT) 12-1-05, FX 5-1-06

1 of 2

FOLIO	NAME LINE	ADDRESS LI	ADDRESS I
504125010314	BROWARD COUNTY COMMISSIONERS	115 S ANDREWS AVE STE 409	FORT LAUDERDALE FL 33301-1801
504125010331	GRIFFIN COMMERCE CENTER INC	3330 N 29 AVE	HOLLYWOOD FL 33020
504125010360	JONES GEORGE & ORVA	3232 COVE ROAD	JUPITER FL 33469
504125010400	SLOAN, OWEN KENNETH	1215 E BROWARD BLVD STE 200	FT LAUDERDALE FL 33301
504125010420	CFM PARTNERS LTD	1500 FLORIAN DR	DANIA FL 33004-2313
504125010431	FLORIDA POWER & LIGHT CO	PO BOX 14000	JUNO BEACH FL 33408-0420
504125010440	SWAYING PALMS DAVIS & BELLINSON	370 E MAPLE ROAD FL 3	BIRMINGHAM MI 48009
504125010470	SOUTHERN MOBILE PKG INC	370 E MAPLE ROAD FL 3	BIRMINGHAM MI 48009
504125010471	SIGMA 3 INC	9709 N NEW RIVER CANAL RD #206	PLANTATION FL 33324
504125010490	SOUTH FLA WATER MGMT DIST	PO BOX 24680	WEST PALM BEACH FL 33416-4680
504125110010	BROWARD CO HOUSING AUTHORITY	1773 N STATE ROAD 7	FORT LAUDERDALE FL 33313-3005
504125110020	STATE OF FLORIDA DOT	3400 W COMMERCIAL BLVD	FT LAUDERDALE FL 33309-3421
504125220010	O A ASSOCIATES INC	2101 SOUTH CONGRESS AVE	DELRAY BEACH FL 33445-7311
504125240010	#5000 GRIFFIN INC	9120 NW 38TH ST	HOLLYWOOD FL 33024-8108
504125250020	CASTLE ENTERPRISES, INC	PO BOX 841226	PEMBROKE PINES FL 33084-3226
504125290010	ANDRX PHARMACEUTICALS	4955 SW 45 ST	FT LAUDERDALE FL 33314-4030
504126050460	BANU, JOHN & PEANA, MARIA	12345 NW 14 ST	PLANTATION FL 33323
504126050470	BOLTON, GEORGE C & MARY	5221 ORANGE DR	DAVIE FL 33314-3814
504126050480	BURCH, CAROL, CLAYTON	5201 ORANGE DR	DAVIE FL 33314-3814
504126050490	DIAZ, LORENZO & LOURDES	4350 SW 53 AVE	DAVIE FL 33314

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504126050500	HILL, JOHN L & WILENSKY, HERMAN	4340 SW 53 AVE	DAVIE FL 33314-3823
504126050510	WILENSKY, HERMAN	4330 SW 53RD AVE	DAVIE FL 33314-3823
504136010010	DRIFTWOOD HOLDINGS LLC	4800 GRIFFIN RD	FORT LAUDERDALE FL 33314-4636
504136010040	FINK, BLANCHE & KAUFMAN, L & I	305 S FLAGLER DR STE 1010	WEST PALM BEACH FL 33401-5949
504136010080	TEMPLE BETH EL	1351 S 14TH AVE	HOLLYWOOD FL 33020-6423
504136010170	FLORIDA AUTO AUCTION OF	1400 LAKE HEARN DR	ATLANTA GA 30319
504136250010	ST PHILIP EASTERN ORTHODOX	4870 GRIFFIN ROAD	DAVIE FL 33314

Exhibit 4 (Public Participation Notices)

3721 S.W. 47th Avenue
Suite 307
Ft. Lauderdale, Florida
33314-2815
954 • 581-9000
FAX 954 • 792-7126



The Spear Group

RE: Site Plan Application No. - SP 12-5-05

January 5, 2006

Dear Neighbor:

This letter is to invite you to a citizen participation meeting relating to a site plan application for a 3 acre parcel located at Griffin Road & The Florida Turnpike. The property subject to the application is the vacant land located immediately west of the Griffin Gardens Assisted Living Facility (see attached location map). The request is to approve the site for a mixed use building which would contain 33,700 square feet of offices and 24 one and two bedroom condominium apartments. The property is in the Griffin Corridor zoning area (commerce zone 4).

Under a new Town of Davie ordinance, we are required to hold two (2) citizen participation meetings and send notice to all property owners within 1,000 feet of the site before the Town will initiate their review of the site plan application. We have scheduled the following meetings.

First Meeting: Date: Monday, January 16, 2006 Time: 7:00 PM
 Location: Eastside Community Hall
 4300 S.W. 55th Avenue
 Davie, FL 33314

Second Meeting: Date: Wednesday, January 18, 2006 Time: 7:00 PM
 Location: Town Hall Community Room
 6591 Orange Drive
 Davie, FL 33314

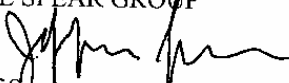
If you wish to submit written comments, please send them to:

Jeff Spear
THE SPEAR GROUP
3721 S.W. 47th Avenue – Suite 307
Ft. Lauderdale, FL 33314-2815

Also, please be advised that there will be additional opportunities for public input at the Planning and Zoning Board and Town Council public hearings.

MEMBERS OF THE TOWN COUNCIL MAY BE PRESENT

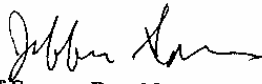
Sincerely,
THE SPEAR GROUP


Jeff Spear

SUMMARY OF DISCUSSION AT JANUARY 16, 2006
CITIZEN PARTICIPATION MEETING FOR
3 ACRE PARCEL LOCATED AT GRIFFIN ROAD &
THE FLORIDA TURNPIKE

The first of two (2) Citizen Participation meetings was held at 7:00 pm in the Eastside Community Hall, and was attended by 0 neighbors. The sign-in sheet is attached as Exhibit "A".

Also, no phone calls were received in regards to the above subject.



Jeff Spear, President
THE SPEAR GROUP

EXHIBIT "A"
SIGN-IN SHEET
CITIZENS PARTICIPATION MEETING OF
JANUARY 16, 2006

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE #</u>	<u>E-MAIL</u>
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-0- Participants at Meeting

SUMMARY OF DISCUSSION AT JANUARY 18, 2006
CITIZEN PARTICIPATION MEETING FOR
3 ACRE PARCEL LOCATED AT GRIFFIN ROAD &
THE FLORIDA TURNPIKE

The second of two (2) Citizen Participation meetings was held at 7:00 pm in the Town Hall Community Room, and was attended by 0 neighbors. The sign-in sheet is attached as Exhibit "A".

Also, no phone calls were received in regards to the above subject.



Jeff Spear, President
THE SPEAR GROUP

EXHIBIT "A"
SIGN-IN SHEET
CITIZENS PARTICIPATION MEETING OF
JANUARY 18, 2006

<u>NAME</u>	<u>ADDRESS</u>	<u>PHONE #</u>	<u>E-MAIL</u>
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-0- Participants at Meeting

No Attendance

CITIZEN PARTICIPATION PLAN
FOR
SITE PLAN APPLICATION NO. SP 12-5-05

PROJECT DESCRIPTION

The proposed site plan application is for a 3 acre parcel located on Griffin Road just East of the Florida Turnpike. The property subject to this site plan application is the vacant land which is located immediately west of the Griffin Gardens Assisted Living Facility. The property is currently zoned the Griffin Corridor zone. The proposed site plan is for a mixed use building to contain 33,700 square feet of offices and 24 one and two bedroom condominium apartments.

CONTACT INFORMATION

Agent: Jeff Spear
THE SPEAR GROUP
3721 S.W. 47TH Avenue – Suite 307
Ft. Lauderdale, FL 33314-2815
954-581-9000

Owner: CFM Partners, LTD
1500 Florian Drive
Dania, FL 33004-2313

All inquiries and correspondences are to be sent to Jeff Spear.

LIST OF RESIDENTS AND/OR PROPERTY OWNERS AND INTERESTED PARTIES

The attached Exhibit “A” is a list of all residents and/or property owners and interested parties located within 1,000 feet of the subject property.

NOTIFICATION PROCEDURE

All affected parties (i.e. residents and/or property owners) located within 1,000 feet of the subject property will be notified by direct mail. The proposed letter, which is to be sent to all affected parties, is attached as Exhibit “B”.

SUMMARY OF PROPOSED APPLICATION

The proposed application is for a site plan on a 3 acre parcel to build a mixed use building to contain 33,700 square feet of offices and 24 one and two bedroom condominium apartments.

DISSEMINATION OF INFORMATION

All information which is to be disseminated to residents, property owners and interested parties will be done by direct mail. All affected parties within 1,000 feet of the subject property will receive a notification of the proposed date, time and location of the two (2) citizen participation meetings. Those affected parties who attend a citizen participation meeting an request a copy of the citizen participation report, which will be prepared following the two (2) citizen participation meetings, will receive a copy by direct mail.

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SCHEDULE OF EVENTS

The scheduled time and dates for the citizen participation meetings are as follows:

First Meeting

Date: Monday, January 16, 2006
Time: 7:00 PM
Location: Eastside Community Hall
4300 S.W. 55th Avenue
Davie, FL 33314

Second Meeting

Date: Wednesday, January 17, 2006
Time: 7:00 PM
Location: Town Hall Community Room
6591 Orange Drive
Davie, FL 33314

There will be public hearings at the Planning and Zoning Board and Town Council meetings at which time all citizens will have an additional opportunity to express their opinions.

Exhibit 8 (Conceptual Site Plan)

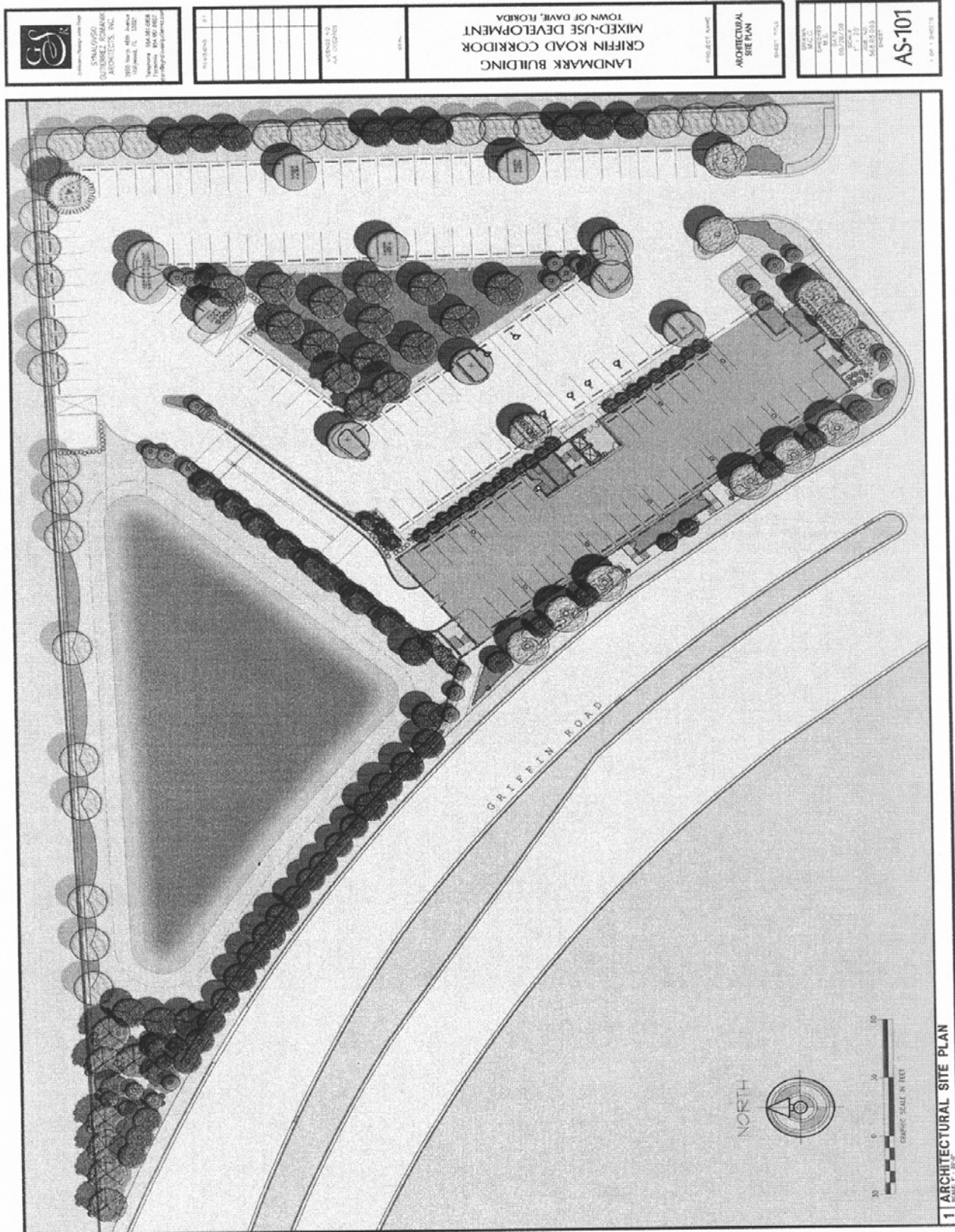


Exhibit 9 (*Future Land Use Map*)

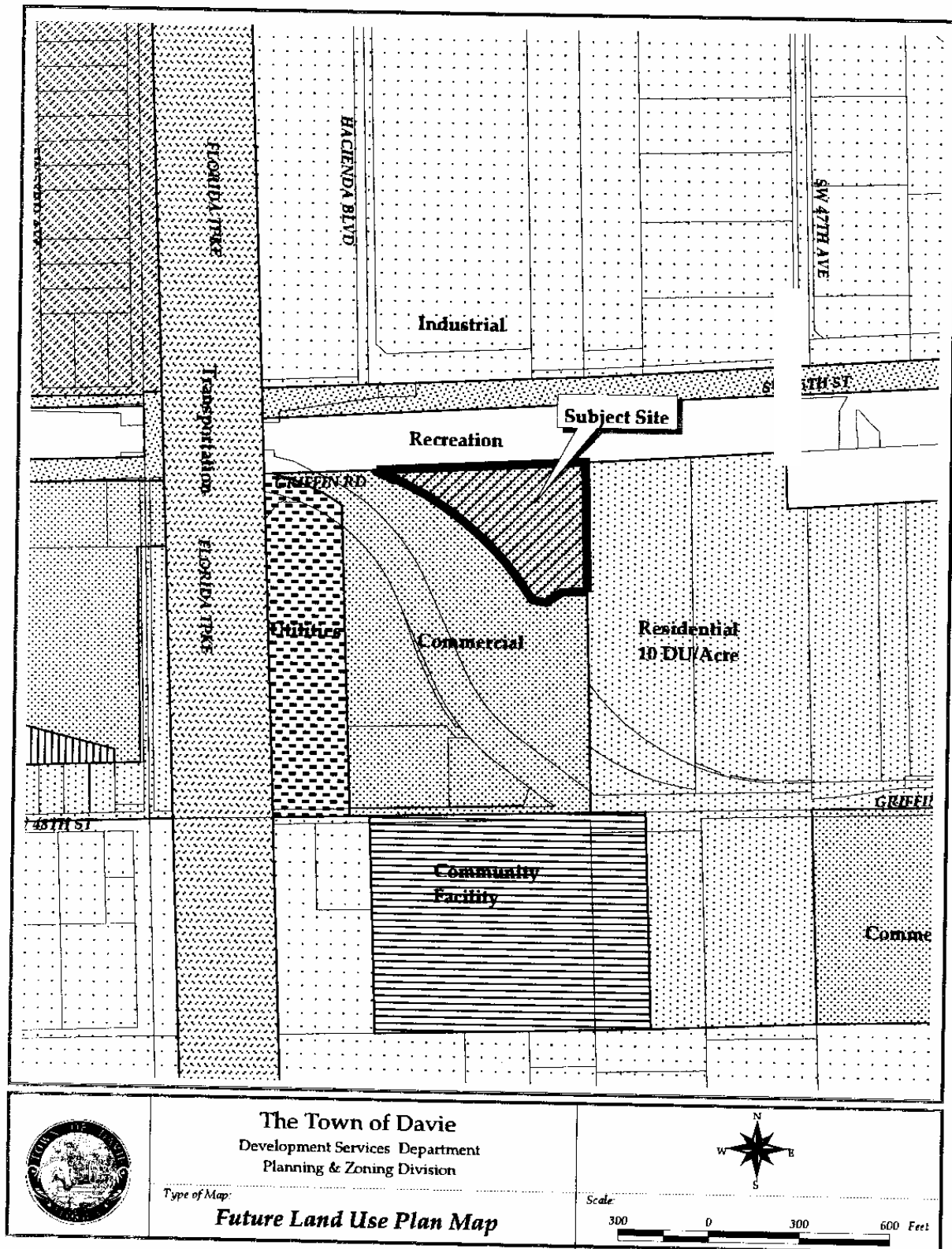


Exhibit 10 (Aerial, Zoning, and Subject Site Map)



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